

2011

LRB-1187



Making of "/PI"

Feb. 6th - 12th,  
2011

Pt. 06a

**Kunkel, Mark**

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**From:** Hanle, Bob - DOA [bob.hanle@wisconsin.gov]

**Sent:** Thursday, February 10, 2011 8:29 PM

**To:** Grant, Peter; Kunkel, Mark; Kuesel, Jeffery

**Cc:** Boggs, Breann C - DOA

**Subject:** Draft change

The decision on building management authority is to draft UW's request which is to give UW management control over all non-general fund supported projects. Sorry for the change of course.

**Bob Hanle, Team Leader**  
**State Budget Office**  
**101 E. Wilson St. -- 10th Floor**  
**P.O. Box 7864**  
**Madison, WI 53707-7864**  
**(608) 266-1037**

2/11/2011

**Grant, Peter**

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**From:** Griffiths, Ben [BGRIFFITHS@vc.wisc.edu]

**Sent:** Thursday, February 10, 2011 11:26 AM

**To:** Grant, Peter

**Subject:** RE: Non-statutory provision

Hi Peter: I think we need to include this in the statutes – probably Ch. 37. I agree that the transfer of contracts language will accomplish this from a practical perspective, but this whole thing will make many people very skittish and there is a critical need to mollify concerns that any changes in the funding structure for these programs is in any way intended to reflect a desire on anyone's part to tinker with the many cooperative relationships and programs that have been established the years. We are fiddling with this language a bit, and I'll send you the revised version as soon as I have received feedback. Thanks,

Ben

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**From:** Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]

**Sent:** Wednesday, February 09, 2011 5:20 PM

**To:** Griffiths, Ben

**Subject:** RE: Non-statutory provision

I think it will have to be statutory, because by its terms programs may continue beyond the next printing of the statutes (January 2013).

But Ben, if there are agreements, aren't they already take care of by the contract language on p. 214?

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**From:** Griffiths, Ben [mailto:BGRIFFITHS@vc.wisc.edu]

**Sent:** Wednesday, February 09, 2011 5:11 PM

**To:** Grant, Peter

**Subject:** Non-statutory provision

Hi Peter: one of our important goals in all of this is to preserve the many different inter-institutional collaborations that currently exist. It might be helpful to include a non-statutory provision that enables the continuation of the collaborations until such time as any different arrangements will be established. Below is what we are thinking. Thanks,

Ben

**Continuation of Programs and Funding**

All ongoing academic, research and outreach programs or activities being conducted by means of collaboration or agreement between the University of Wisconsin-Madison and any of the Institutions of the University of Wisconsin System, the University of Wisconsin Colleges or the University of Wisconsin-Extension, as of the effective date of this Act, shall continue until such time as the individual collaborations or agreements would have otherwise ceased in the absence of this Act or until the time the Board of Trustees of the University of Wisconsin and the applicable institution(s) mutually agree to modify the existing individual collaborations or agreements, which ever is earlier. To the extent the University of Wisconsin-Madison and any of the Institutions of the University of Wisconsin System, the University of Wisconsin Colleges or the University of Wisconsin-Extension jointly fund any academic, research or outreach programs or pay the salaries of any University of Wisconsin System Employees, such arrangement shall continue until such funding is no longer called for or until the Board of Trustees of the University of Wisconsin and the other applicable institution(s) mutually agree to modify the existing payment structure.

2/10/2011

**Grant, Peter**

---

**From:** Griffiths, Ben [BGRIFFITHS@vc.wisc.edu]  
**Sent:** Thursday, February 10, 2011 1:12 PM  
**To:** Grant, Peter  
**Subject:** RE: Non-statutory provision; Mellon appropriation line

Hi Peter:

1. Extension contracts.

The language we are proposing is not really intended to apply to a different set of contracts, but is trying to solve a different problem – that the existing relationships between UW and Extension will continue even if the mechanism of funding them is changed (right now, money for these programs came to the UW via a cooperative agreement with Extension. I think the idea is that the funding stream will go directly in the UW's budget, but we all want the programs to continue).

Here is revised text for this provision:

All ongoing academic, research and outreach programs or activities being conducted by means of cooperative agreement, memoranda of understanding, or other agreement between the University of Wisconsin-Madison and any of the Institutions of the University of Wisconsin System, the University of Wisconsin Colleges or the University of Wisconsin-Extension, as of the effective date of this Act, shall continue in full force and effect following the effective date of this Act irrespective of any changes in the structure or mechanism of funding such programs, until such time as the Board of Trustees of the University of Wisconsin and the applicable institution(s) mutually agree to modify the existing individual collaborations or agreements, or funds are no longer appropriated for these purposes.

Can we add this as a subpart to the end of the general transfer of contracts section with some prefatory language like: "The foregoing notwithstanding.." or "Specifically regarding contracts and other agreements involving the University of Wisconsin and the University of Wisconsin Extension, ... " or "By way of clarification and not limitation ..." or something like that?

2. Mellon Foundation grant. The source of program revenue for this is tuition interest earnings. Is this specific enough?

Thank you very much,

Ben

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**From:** Grant, Peter [mailto:Peter.Grant@legis.wisconsin.gov]  
**Sent:** Thursday, February 10, 2011 11:38 AM  
**To:** Griffiths, Ben  
**Subject:** RE: Non-statutory provision

Okay, although I'm a little concerned that the contract language will conflict with this. How do you distinguish which contracts/agreements fall under the contract language and which fall under this provision? The provisions are substantially different.

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**From:** Griffiths, Ben [mailto:BGRIFFITHS@vc.wisc.edu]  
**Sent:** Thursday, February 10, 2011 11:26 AM  
**To:** Grant, Peter

2/10/2011

**Subject:** RE: Non-statutory provision

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**Votes:**

[illegible]

## Notes/Questions

Problem	Admin	State User	Admin Title	Source	Type	Numerics	Original Base	UW Adjusted Base	System Adjusted Base
Already in Data	(f)	S	General Program Operations	GPR	Annual	101 and 108	\$982,888.30	\$322,642.700	\$559,995,600
Duplicate language in 20286: Remove references to "cooperation facility from 20,285 and move it to 20,280	(c)	S	Energy costs, energy-related assessments State laboratory of hygiene, general program operations	GPR	A	09	\$132,291.400	78,545.200	\$53,746.200
Repeat in 20,285; Remove in 20,280	(d)	S		GPR	Annual	101	\$9,884.700	\$9,884.700	\$0
Repeat in 20,285; Remove in 20,280	(f)	S	Veterinary diagnostic laboratory	GPR	Annual	101	\$4,712.100	\$4,712.100	\$0
Duplicate in 20,280	(d)	S	Principal repayment and interest	GPR	Sum Sufficient	101	\$140,068.000	\$73,727.300	\$68,329.500
Duplicate in 20,280	(f)	S	Self-amputating facilities; principal repayment	GPR	Sum Sufficient	101	\$0	\$0	\$0
Repeat in 20,285 and Remove in 20,280	(f)	S	Stream and chad-water plant; principal repayment, interest, and rebates; nonstate entities	PR	Continuing		\$886.000	\$365.000	\$0
Duplicate in 20,280	(d)	S	Principal repayment, interest and rebates	PR-S	Sum Sufficient		\$81,817.700	\$31,790.400	\$50,087.300
Repeat in 20,285 and Remove in 20,280	(e)	S	Stream and chad-water plant; principal repayment, interest, and rebates	PR	Continuing		\$5,014.600	\$5,014.600	\$0
Repeat in 20,285; Remove in 20,280	(f)	S	Veterinary diagnostic laboratory; fees	PR	Continuing		\$3,949.920	\$3,949.920	\$0
Repeat in 20,285 and Remove in 20,280	(e)	S	Rural physician residency assistance program	SEG	Biennial		\$780.000	\$750.000	\$0
Repeat references to physicians in 20,285 and remove in 20,280	(g)	A	Physician and dentist and health care loan assistance programs; critical care	SEG	Biennial		\$200.000	\$200.000	\$0
Duplicate in 20,280	(g)	L	Environmental program grants and scholarships	SEG	Annual		\$170.000	\$170.000	\$170.000
Duplicate in 20,282	(m)	A	Environmental program grants and scholarships	SEG	Annual		\$200.000	\$100.000	\$100.000
Duplicate in 20,280	(f)	S	Wisconsin bioregion initiative	SEG	Annual		\$4,060.000	\$2,660.000	\$440.000
Duplicate in 20,280; Transfer dollars from 20,285 to 20,280	(c)	S	Trust Fund Income	SEG	Continuing		\$29,083.200	\$21,190.000	\$4,903.200
New appropriation to transfer Trust Fund income; should sunset at end of biennium	(f)	NEW	Trust Fund Transfers	SEG	Continuing		\$0	\$0	\$0

(81,251,728,500) 81,142,663,900

# STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

Approves

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• (gr) ~~RP~~ RP (1)(gr)

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(i) RP

(ia) RN (1)(ia)

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(je) RN (1)(je)

(jp) AM

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(ka) ~~AM~~ **RP**

(kd) AM



# STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

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# STATE OF WISCONSIN - LEGISLATIVE REFERENCE BUREAU

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1 Wisconsin ~~Madison~~ School designated by the dean shall serve, respectively, in place  
2 of the officers.

3 SECTION 38. 14.57 (2m) of the statutes is created to read:

4 14.57 (2m) The chairperson of the board of trustees of the University of  
5 Wisconsin or his or her designee.

6 SECTION 39. 14.76 (1m) of the statutes is created to read:

7 14.76 (1m) In this section, "state agency" includes the University of Wisconsin.

8 SECTION 40. 15.107 (12) (b) 2. of the statutes is amended to read:

9 15.107 (12) (b) 2. The chancellor of the University of ~~Wisconsin-Madison~~  
10 Wisconsin shall appoint one member to represent the state laboratory of hygiene.

11 SECTION 41. 15.135 (4) (c) 2. of the statutes is amended to read:

12 15.135 (4) (c) 2. The dean of the College of Agricultural and Life Sciences of the  
13 University of ~~Wisconsin-Madison~~ Wisconsin and the director of the University of  
14 Wisconsin-Extension to serve or appoint a person to serve as an advisory member  
15 of the board.

16 SECTION 42. 15.137 (2) (a) 8. of the statutes is amended to read:

17 15.137 (2) (a) 8. A member chosen jointly by the dean of the College of  
18 Agricultural and Life Sciences of the University of ~~Wisconsin-Madison~~ Wisconsin,  
19 the dean of the School of Veterinary Medicine of the University of  
20 ~~Wisconsin-Madison~~ Wisconsin, the dean of the College of Business, Industry, Life  
21 Science, and Agriculture of the University of Wisconsin-Platteville, the dean of the  
22 College of Agriculture, Food, and Environmental Sciences of the University of  
23 Wisconsin-River Falls, and the dean of the College of Natural Resources of the  
24 University of Wisconsin-Stevens Point to represent the colleges and school.

25 SECTION 43. 15.137 (5) (a) of the statutes is amended to read:

1           16.004 (8) (am) The secretary shall maintain a system of rental policies for  
2 state-owned housing administered by all agencies other than the University of  
3 Wisconsin, and shall periodically review the system for possible changes. Whenever  
4 the secretary proposes to change rental policies other than rental rates, the secretary  
5 shall submit a report relating to the system to the joint committee on finance. The  
6 report shall include any changes in rental policies recommended by the secretary.

7           **SECTION 68.** 16.004 (12) (a) of the statutes is amended to read:

8           16.004 (12) (a) In this subsection, "state agency" means an association,  
9 authority, board, department, commission, independent agency, institution, office,  
10 society, or other body in state government created or authorized to be created by the  
11 constitution or any law, including the legislature, the office of the governor, and the  
12 courts, but excluding the University of Wisconsin Hospitals and Clinics Authority,  
13 the University of Wisconsin, the Wisconsin Aerospace Authority, the Health  
14 Insurance Risk-Sharing Plan Authority, the Lower Fox River Remediation  
15 Authority, the Wisconsin Quality Home Care Authority, and the Fox River  
16 Navigational System Authority.

\*\*\*\*NOTE: The above excludes the UW from rules that DOA must promulgate that govern surveillance by a state agency of the state agency's employees.

\*\*\*\*NOTE: We did not include the UW in s. 16.008 (2) (payment for extraordinary police service). Please let us know whether you want to make changes to s. 16.008 (2) which provides, in part: "The state shall pay for extraordinary police services provided directly to state facilities, as defined in s. 70.119 (3) (e), in response to a request of a state officer or agency responsible for the operation and preservation of such facilities. The University of Wisconsin Hospitals and Clinics Authority shall pay for extraordinary police services provided to facilities of the authority described in s. 70.11 (38). .... Municipalities or counties that provide extraordinary police services to state facilities may submit claims to the claims board for actual additional costs related to wage and disability payments, pensions and worker's compensation payments, damage to equipment and clothing, replacement of expendable supplies, medical and transportation expense, and other necessary expenses. .... The board shall obtain a review of the claim and recommendations from the agency responsible for the facility prior to proceeding under s. 16.007 (3), (5), and (6)."

- no change  
needed  
We are in  
70.119 (3)(e)  
definition

\*\*\*\*NOTE: We did not affect the definition of "agency" for purposes of the women's council under s. 16.01. Note that s. 16.01 (1) defines agency to include an institution of

higher education, but does not define "institution of higher education." Arguably, the UW is an institution of higher education and thus an "agency" for purposes of the women's council. Is that okay? *O.K.*

**SECTION 69.** 16.04 (1) (intro.) of the statutes is amended to read:

16.04 (1) (intro.) The department shall ensure optimum efficiency and economy in the fleet management and maintenance activities of all agencies, as defined in s. 16.52 (7), other than the University of Wisconsin. The department may:

**SECTION 70.** 16.045 (1) (a) of the statutes is amended to read:

16.045 (1) (a) "Agency" means an office, department, independent agency, institution of higher education, association, society, or other body in state government created or authorized to be created by the constitution or any law, that is entitled to expend moneys appropriated by law, including the legislature and the courts, but not including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch. 37, 52, 231, 232, 233, 234, 235, 237, or 279.

\*\*\*\*NOTE: The above exempts the UW from DOA's authority over agency use of gasoline, alternative fuels, and hybrid-electric vehicles.

**SECTION 71.** 16.15 (1) (ab) of the statutes is amended to read:

16.15 (1) (ab) "Authority" has the meaning given under s. 16.70 (2), but excludes the University of Wisconsin Hospitals and Clinics Authority, ~~the University of Wisconsin~~, the Lower Fox River Remediation Authority, the Wisconsin Quality Home Care Authority, and the Health Insurance Risk-Sharing Plan Authority.

\*\*\*\*NOTE: The above exempts the UW from DOA's resource recovery and recycling program that applies to agencies and authorities. *We want to be part of this.*

**SECTION 72.** 16.41 (1) of the statutes is amended to read:

16.41 (1) All agencies shall keep their accounts and other financial records as prescribed by the secretary under s. 16.40 (5), except as otherwise specifically directed by law. All agencies ~~and~~ authorities, and the University of Wisconsin shall furnish to the secretary all information relating to their financial transactions which

1 authorized to be created by the constitution or any law, that is entitled to expend  
2 moneys appropriated by law, including the legislature and the courts, but not  
3 including an authority created in subch. II of ch. 114 or subch. III of ch. 149 or in ch.  
4 37, 52, 231, 233, 234, 237, or 279.

5 **SECTION 79.** 16.53 (7) of the statutes is amended to read:

6 16.53 (7) CERTIFICATION OF BOARDS, EVIDENCE OF CORRECTNESS OF ACCOUNT. The  
7 certificate of the proper officers of the board of regents of the University of Wisconsin  
8 System, the board of trustees of the University of Wisconsin, the department of  
9 health services, or the proper officers of any other board or commission organized or  
10 established by the state, shall in all cases be evidence of the correctness of any  
11 account which may be certified by them.

12 **SECTION 80.** 16.54 (8g) of the statutes is amended to read:

13 16.54 (8g) Subsections (1) to (8) do not apply to federal moneys made available  
14 to the board of regents of the University of Wisconsin System <sup>board of trustees</sup> or the University of <sup>of the</sup>  
15 Wisconsin for instruction, extension, special projects or emergency employment  
16 opportunities.

\*\*\*\*NOTE: The above ensures that the UW maintains an exemption under current  
law that applies to the UW-System.

17 **SECTION 81.** 16.54 (8r) (a) of the statutes is amended to read:

18 16.54 (8r) (a) Whenever the federal government makes available moneys for  
19 instruction, extension, special projects or emergency employment opportunities, the  
20 board of regents of the University of Wisconsin System and the board of trustees of  
21 the University of Wisconsin may accept the moneys on behalf of the state. The board  
22 of regents and the board of trustees shall, in the administration of the expenditure  
23 of such moneys, comply with the requirements of the act of congress making the

1 moneys available and with the regulations prescribed by the federal government or  
2 the federal agency administering the act, insofar as the act or regulations are  
3 consistent with state law. The board of regents and the board of trustees may submit  
4 any plan, budget, application or proposal required by the federal agency as a  
5 precondition to receipt of the moneys. The board of regents and the board of trustees  
6 may, consistent with state law, perform any act required by the act of congress or the  
7 federal agency to carry out the purpose of the act of congress. The board of regents  
8 shall deposit all moneys received under this paragraph in the appropriation account  
9 under s. 20.285 (1) (m).

\*\*\*\*NOTE: Do you want to direct the board of trustees to report under s. 16.54 (8r)  
(b)? **No.**

10 **SECTION 82.** 16.54 (9) (a) 1. of the statutes is amended to read:

11 16.54 (9) (a) 1. "Agency" means an office, department, independent agency,  
12 institution of higher education, association, society or other body in state  
13 government created or authorized to be created by the constitution or any law, which  
14 is entitled to expend moneys appropriated by law, including the legislature and the  
15 courts, but not including an authority created in subch. II of ch. 114 or subch. III of  
16 ch. 149 or in ch. 37, 52, 231, 233, 234, 237, or 279.

\*\*\*\*NOTE: The above exempts the UW from the requirements under s. 16.54 (9) that  
apply to "moneys received by an agency from the federal government as reimbursement  
for indirect costs of administration of a federal grant or contract for which no specific use  
is mandated by the federal government."

17 **SECTION 83.** 16.61 (13) (a) of the statutes is amended to read:

18 16.61 (13) (a) The historical society, as trustee for the state, shall be the  
19 ultimate depository of the archives of the state, and the board may transfer to the  
20 society such original records and reproductions as it deems proper and worthy of  
21 permanent preservation, including records and reproductions which the custodian

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

1     **SECTION 166.** 20.285 (1) (fc) of the statutes is renumbered 20.280 (1) (fc).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

2     **SECTION 167.** 20.285 (1) (fd) of the statutes is repealed.

- New appropriation  
for UW?

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

3     **SECTION 168.** 20.285 (1) (fj) of the statutes is repealed.

- New appropriation  
for UW?

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4     **SECTION 169.** 20.285 (1) (gm) of the statutes is renumbered 20.280 (1) (gm).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

- Necessary?  
NO

5     **SECTION 170.** 20.285 (1) (gn) of the statutes is renumbered 20.280 (1) (gn).

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

- Necessary?  
NO

6     **SECTION 171.** 20.285 (1) (gr) of the statutes is renumbered 20.280 (1) (gr) and  
7     amended to read:

8         20.280 (1) (gr) *Center for urban land economics research.* The amounts in the  
9     schedule for research and educational, public outreach and grant activities under s.  
10    ~~36.25~~ 37.25 (34). Ten dollars of each renewal fee received under s. 452.12 (5) shall be  
11    credited to this appropriation.

\*\*\*\*NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

12    **SECTION 172.** 20.285 (1) (h) of the statutes is amended to read:

13         20.285 (1) (h) *Auxiliary enterprises.* Except as provided under subs. (5) (i) and  
14    (6) (g), all moneys received by the University of Wisconsin System for or on account  
15    of any housing facility, commons, dining halls, cafeteria, student union, athletic  
16    activities, stationery stand or bookstore, parking facilities or car fleet, or such other  
17    auxiliary enterprise activities as the board designates and including such fee



37.25 (13g) (a) The board shall establish at the University of Wisconsin-Madison university the "University of Wisconsin Hospitals and Clinics".

(b) (intro.) The board shall maintain, control and supervise the use of the University of Wisconsin Hospitals and Clinics, for the purposes of all of the following:

(d) This subsection applies only in the event that the on-campus facilities, as defined in s. 233.01 (7), leased to the University of Wisconsin Hospitals and Clinics Authority under s. ~~36.11~~ 37.11 (28), and any improvements, modifications or other facilities specified in s. 233.04 (7) (c), are transferred to the board under s. 233.04 (3b) (b), (7g) (b) or (7p) (b).

**SECTION 234.** 36.25 (13m) of the statutes is repealed.

**SECTION 235.** 36.25 (13s) of the statutes is renumbered ~~36.25~~ <sup>21</sup> 36.25 (13s) and amended to read:

31  
12.25 (13s) MEDICAL PRACTICE IN UNDERSERVED AREAS. Of the moneys appropriated to the board under s. ~~20.285~~ 20.280 (1) (fc) of the statutes, the board shall, ~~beginning in fiscal year 2008-09,~~ allocate \$400,000 in each fiscal year for the department of family medicine and practice in the University of Wisconsin School of Medicine and Public Health to support the Wisconsin Academy for Rural Medicine, the Academy for Center-city Medical Education, and the Wisconsin Scholars Academy programs. The board may not expend any moneys allocated under this subsection in a fiscal year unless the board receives \$400,000 in gifts and grants from private sources in that fiscal year for supporting such programs.

SECTION 236. 36.25 (14) of the statutes is renumbered 37.25 (14) and amended *Do not just renumber; create*  
to read:

37.25 (14) GRADUATE STUDENT FINANCIAL AID. The board shall establish a grant program for minority and disadvantaged graduate students enrolled in the system.

Do not just renumber;  
create comparable provisions in both chapters

(b) Allow resident students who are admitted to law school 6 years after first enrolling to complete requirements for a degree; ~~and~~.

**SECTION 240.** 36.25 (21m) of the statutes is renumbered 37.25 (21m) and amended to read:

37.25 (21m) GREAT LAKES INDIAN LAW PROGRAM. The board shall establish a Great Lakes Indian law program at the University of ~~Wisconsin-Madison~~ Wisconsin Law School.

**SECTION 241.** 36.25 (23) of the statutes is renumbered 37.25 (23) and amended to read:

37.25 (23) ROBERT M. LA FOLLETTE INSTITUTE OF PUBLIC AFFAIRS. There is established a Robert M. La Follette institute of public affairs at the University of ~~Wisconsin-Madison~~ Wisconsin. The institute shall engage in research, public service and educational activities to advance the knowledge of public affairs and the application of that knowledge to the needs of this state.

\*\*\*\*NOTE: We did not affect s. 36.25 (24) (employee-owned business program). Do you want comparable language in s. 37.25? Also note that s. 36.25 (24) refers to the "University of Wisconsin small business development center." Does that center stay in the UW System? If so, perhaps the name should be changed to the UW System small business development center, so that it is not confused with the new UW. *Delete from ch. 36 and do not add to ch. 37.*

\*\*\*\*NOTE: We did not affect s. 36.25 (28) (schools of business). The language is completely about using certain money for certain purposes. The trustees will determine this.

**SECTION 242.** 36.25 (30m) of the statutes is renumbered 37.25 (30m) and amended to read:

37.25 (30m) AGRICULTURAL TECHNOLOGY AND FAMILY FARM PROGRAMS. The board may establish agricultural technology and family farm programs in the College of Agricultural and Life Sciences at the University of ~~Wisconsin-Madison~~ Wisconsin.

1        **SECTION 263.** 36.58 (2) of the statutes is renumbered 37.58 <sup>(1)</sup>~~(2)~~. ND

2        **SECTION 264.** 36.58 (3) of the statutes is renumbered 37.58 <sup>(2)</sup>~~(3)~~ and 37.58 <sup>(2)</sup>~~(3)~~ (c), ND

3        as renumbered, is amended to read:

4        37.58 <sup>(2)</sup>~~(3)~~ (c) The veterinary diagnostic laboratory ~~board~~ may identify services  
5        that are necessary to protect human health and safety for which the veterinary  
6        diagnostic laboratory may not charge fees.

7        **SECTION 265.** 36.58 (3m) of the statutes is renumbered 37.58 <sup>(3)</sup>~~(3m)~~ and ND  
8        amended to read:

9        37.58 <sup>(3)</sup>~~(3m)~~ **APPOINTMENT OF DIRECTOR.** ~~After consultation with the veterinary~~  
10       ~~diagnostic laboratory board, the~~ The chancellor of the University of ND  
11       ~~Wisconsin-Madison~~ shall appoint an individual who has received the degree of  
12       doctor of veterinary medicine as the director of the veterinary diagnostic laboratory.

13       **SECTION 266.** 36.58 (4) and (5) of the statutes are repealed.

14       **SECTION 267.** 36.58 (6) of the statutes is renumbered 37.58 (6).

15       **SECTION 268.** 36.59 (8) of the statutes is repealed.

16       **SECTION 269.** 36.60 (title) of the statutes is amended to read:

17       **36.60 (title) ~~Physician and dentist~~ Dentist loan assistance program.**

18       **SECTION 270.** 36.60 (1) (ag) of the statutes is renumbered 37.60 (1) (ag).

19       **SECTION 271.** 36.60 (1) (aj) of the statutes is renumbered 37.60 (1) (aj).

20       **SECTION 272.** 36.60 (1) (ap) of the statutes is renumbered 37.60 (1) (ap).

21       **SECTION 273.** 36.60 (1) (b) of the statutes is renumbered 37.60 (1) (b).

22       **SECTION 274.** 36.60 (1) (cm) of the statutes is renumbered 37.60 (1) (cm).

23       **SECTION 275.** 36.60 (1) (d) of the statutes is amended to read:

24       36.60 (1) (d) "Rural area" has the meaning given in s. ~~36.63~~ 37.63 (1) (c).

1 ~~with respect to a dental hygienist "eligible practice area" means a dental health~~  
2 ~~shortage area.~~

3 SECTION 301. 36.61 (1) (b) of the statutes is renumbered 37.61 (1) (b) and  
4 amended to read:

5 37.61 (1) (b) "Health care provider" means a ~~dental hygienist~~, physician  
6 assistant, nurse-midwife, or nurse practitioner.

7 SECTION 302. 36.61 (1) (bp) of the statutes is renumbered 37.61 (1) (bp) *Amend to cross-reference 37.60(1)(aj)*

8 SECTION 303. 36.61 (1) (d) of the statutes is renumbered 37.61 (1) (d) *Amend 37.61(1)(d) to cross reference 37.60(1)(am)*

9 SECTION 304. 36.61 (1) (e) of the statutes is amended to read:

10 36.61 (1) (e) "Rural area" has the meaning given in s. 36.63 37.63 (1) (c).

11 SECTION 305. 36.61 (2) of the statutes is amended to read:

12 36.61 (2) ELIGIBILITY. The board may repay, on behalf of a ~~health care provider~~  
13 ~~dental hygienist~~, up to \$25,000 in educational loans obtained by the ~~health care~~  
14 ~~provider dental hygienist~~ from a public or private lending institution for education  
15 related to the ~~health care provider's field of practice of dental hygiene~~, as determined  
16 by the board with the advice of the council.

17 SECTION 306. 36.61 (3) (a) of the statutes is amended to read:

18 36.61 (3) (a) The board shall enter into a written agreement with the ~~health~~  
19 ~~care provider dental hygienist~~. In the agreement, the ~~health care provider dental~~  
20 ~~hygienist~~ shall agree to practice at least 32 clinic hours per week for 3 years in one  
21 or more ~~eligible practice dental health shortage~~ areas in this state or in a rural area,  
22 ~~except that a health care provider in the expanded loan assistance program under~~  
23 ~~sub. (8) who is not a dental hygienist may only agree to practice at a public or private~~  
24 ~~nonprofit entity in a health professional shortage area.~~

25 SECTION 307. 36.61 (5) (b) 1. of the statutes is amended to read:

LRB-1187/P1  
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SECTION 327

the requirement to submit a plan? We suggest either leaving the plan requirement without the appropriation trigger or deleting the plan requirement.

\*\*\*\*NOTE: We retained an appropriation from the critical access hospital assessment fund.

(4) (b) 1. The number of such physician residency positions funded in whole or in part under this section or s. 36.63, 2009 stats., in the previous fiscal year.

**SECTION 328.** Chapter 37 of the statutes is created to read:

#### **CHAPTER 37**

#### **UNIVERSITY OF WISCONSIN**

**37.001 Statement of Purpose and Mission.** (1) The University of Wisconsin continues to be this state's comprehensive teaching and research university, with a statewide, national, and international mission, offering programs at the undergraduate, graduate, and professional levels in a wide range of fields while engaging in extensive scholarly research, continuing adult education, and public service.

(2) The primary purpose of the university is to provide a learning environment in which faculty, staff, and students may discover, examine critically, preserve, and transmit the knowledge, wisdom, and value that will help ensure the survival of this and future generations and improve the quality of life for all. The university seeks to help students develop an understanding and appreciation of the complex cultural and physical worlds in which they live and to realize their highest potential of intellectual, physical, and human development. It also seeks to attract and serve students from diverse social, economic, and ethnic backgrounds and to be sensitive and responsive to those groups that have been underserved by higher education.

**37.01 Definitions.** In this chapter:

(1) "Authority" means the authority created in this chapter.

1 (1) "Academic staff" means those university employees who immediately prior to the  
effective date of this subsection were designated as academic staff of the  
University of Wisconsin-Madison, and those university employees hired or designated  
as academic staff  
at the university.

2 (2) "Board" means the board of trustees of the authority.

3 (3) "Board of regents" means the board of regents of the system.

4 (4) "Campus" means the publicly owned or leased buildings and grounds which  
comprise all or part of the university.

\*\*\*\*NOTE: Is "publicly owned" correct? OK

5 (5) "Chancellor" means the chief executive of the university.

6 (6) "Faculty" means persons who hold the rank of professor, associate professor,  
7 assistant professor or instructor in an academic department or its functional  
8 equivalent in the university and such other employees as may be designated by the  
9 chancellor and faculty.

10 (7) "Student" means any person who is registered for study in the university  
11 for the current academic period. For the purpose of administering particular  
12 programs or functions involving students, the board shall adopt rules defining  
13 continuation or termination of student status during periods between academic  
14 periods.

15 (8) "System" means the University of Wisconsin System.

16 (9) "University" means the university operated by the board under this  
17 chapter.

18 **37.02 University of Wisconsin: creation; organization of board of**  
19 **trustees.** (1) (a) There is created an authority, which is a public body corporate and  
20 formerly known as the University of Wisconsin-Madison,  
politic, to be known as the "University of Wisconsin." The board shall consist of the  
21 following:  
now

22 1. The following members, at least 7 of whom shall be university alumni,  
23 appointed by the governor for 3-year terms:

24 a. One member of the board of regents.

ND

- 1           b. One member who represents agricultural interests in this state.
- 2           c. Nine additional members.
- 3           2. The following members appointed for 3-year terms:
- 4           a. Two faculty members selected by the faculty.
- 5           b. One university employee who is not a faculty member, selected by university
- 6 employees who are not faculty.
- 7           c. Six university alumni selected jointly by the Wisconsin Alumni Research
- 8 Foundation board, the Wisconsin Alumni Association board, and the University of
- 9 Wisconsin Foundation board.
- 10          3. One student enrolled in the university, selected by students enrolled in the
- 11 university, for a 2-year term.
- 12          4. The chancellor, who shall serve as a nonvoting member.

13           (b) Members appointed under par. (a) 1. c. and 2. c. shall have management

14 experience or possess expertise in aspects of the university's mission, <sup>such as</sup> ~~including~~

15 undergraduate, graduate, and professional education, research, intellectual

16 property, support of existing industries, new business startups, and public service.

\*\*\*\*NOTE: You suggested language stated "The board ... will be comprised primarily of alumni and donors ...." If you want to include this, please specify how many members appointed by each person or body given appointment authority must be donors, and please define "donor."

17           (c) Members appointed under par. (a) 1. and 2. may serve no more than 2

18 consecutive terms. The member appointed under par. (a) 3. may serve no more than

19 one term.

\*\*\*\*NOTE: "No more than 2 consecutive terms" does not limit the number of terms, only the number served consecutively.

20           (2) A vacancy on the board shall be filled in the same manner as the original

21 appointment to the board for the remainder of the unexpired term, if any.

1           (3) A member of the board may not be compensated for his or her services but  
2       shall be reimbursed for actual and necessary expenses, including travel expenses,  
3       incurred in the performance of his or her duties.

4           (4) No cause of action of any nature may arise against and no civil liability may  
5       be imposed upon a member of the board for any act or omission in the performance  
6       of his or her powers and duties under this chapter, unless the person asserting  
7       liability proves that the act or omission constitutes willful misconduct.

8           (5) The members of the board shall annually elect a chairperson and may elect  
9       other officers as they consider appropriate. <sup>Eleven</sup> ~~Thirteen~~ voting members of the board  
10      constitute a quorum for the purpose of conducting the business and exercising the  
11      powers of the authority, notwithstanding the existence of any vacancy. The board  
12      may take action upon a vote of a majority of the members present, unless the bylaws  
13      of the authority require a larger number.

14          (6) The board shall appoint a chancellor to serve as chief executive officer of the  
15      university. The chancellor serves at the pleasure of the board. The chancellor shall  
16      receive such compensation as the board fixes.

17          (6m) The board shall appoint a secretary of the board, who shall keep a record  
18      of all its transactions.

19          (7) The state treasurer shall be the treasurer of the board for those moneys  
20      appropriated to the board under s. 20.280.

21          (8) (a) The board shall provide in its operating policies for access to the board  
22      by the public, faculty, students and chancellors.

23          (b) The board meetings shall be open and all records of such meetings and of  
24      all proceedings of the board shall be open to inspection in accordance with subchs.  
25      II and V of ch. 19.





1       **37.03 Responsibilities. (1) BOARD.** (a) The primary responsibility for  
2 governance of the authority is vested in the board, which shall operate a university  
3 at or near the seat of government, and adopt policies for governing the university.

      \*\*\*\*NOTE: We did not add your suggested language about assisting the university  
in carrying out its mission, etc. The board governs the university; how can it "assist" the  
university?

4       (b) The board shall determine the educational programs to be offered by the  
5 university and may discontinue educational programs as it deems necessary.

6       (c) The board shall appoint a chancellor; faculty; other employees; the state  
7 geologist; the director of the laboratory of hygiene; the director of the psychiatric  
8 institute; the state cartographer; and fix the salaries, the duties, and the term of  
9 office for each. No sectarian or partisan tests or any tests based upon (race, religion,  
10 national origin, or sex) shall ever be allowed or exercised in the appointment of the  
11 employees of the university.

*Make consistent  
with categories  
of 57.12.*

12       (d) The board shall delegate to the chancellor the necessary authority for the  
13 administration and operation of the university within the policies and guidelines  
14 established by the board.

15       (e) In order to provide for the evaluation of the quality and effectiveness of the  
16 university, the board shall prepare an accountability report measuring its  
17 performance in such areas as the access and affordability of the university, student  
18 achievement, the research efforts of the university, the economic impact of the  
19 university on the state, the services provided by the university to the residents of the  
20 state, and the financial accountability of the university's operations. By July 1, 2012,  
21 and biennially thereafter, the board shall submit the accountability report to the  
22 governor and shall post the report prominently on its website.

1           (2) CHANCELLOR. The chancellor shall be vested with the responsibility of  
2     administering board policies and be accountable and report to the board on the  
3     operation and administration of the university. Subject to board policy, the  
4     chancellor, in consultation with the faculty, shall be responsible for designing  
5     curricula and setting degree requirements; determining academic standards and  
6     establishing grading systems; defining and administering institutional standards  
7     for faculty peer evaluation and screening candidates for appointment, promotion  
8     and tenure; recommending individual merit increases; administering associated  
9     auxiliary services; and administering all funds, from whatever source, allocated,  
10    generated or intended for use of the university. The chancellor may designate a  
11    person as provost, to act as chief executive officer of the institution in the chancellor's  
12    absence.

13           (3) FACULTY. The faculty, subject to the responsibilities and powers of the board  
14    and the chancellor, shall be vested with responsibility for the immediate governance  
15    of the university and shall actively participate in university policy development. As  
16    such, the faculty shall have the primary responsibility for academic and educational  
17    activities and faculty personnel matters. The faculty shall have the right to  
18    determine their own faculty organizational structure and to select representatives  
19    to participate in university governance.

20           (4) ~~ACADEMIC STAFF. Those university employees who immediately prior to the~~  
21    ~~effective date of this subsection .... [LRB inserts date], were designated as academic~~  
22    ~~staff at the University of Wisconsin-Madison, and those university employees hired~~  
23    ~~or designated as academic staff at the university,~~ subject to the responsibilities and  
24    powers of the board, the chancellor, and the faculty, shall be active participants in  
25    the immediate governance of and policy development for the university. Those

1 police authorities as they meet and exercise their statutory responsibilities. The  
2 designated agents of the board may arrest, with or without warrant, any person on  
3 such property who they have reasonable grounds to believe has violated a state law  
4 or any rule promulgated under this chapter and deliver such person to any court  
5 having jurisdiction over the violation and execute a complaint charging such person  
6 with the violation. This subsection does not impair the duty of any other peace  
7 officers within their jurisdictions to arrest and take before the proper court persons  
8 found violating any state law on such property.

9 (b) The board may employ police for the university and chiefs to head such  
10 police, or contract for police, all of whom shall be deemed peace officers under s.  
11 939.22 (22) under the supervision and control of the chancellor or the chancellor's  
12 designee. Such police officers shall meet the minimum standards established for  
13 other police officers by the law enforcement standards board or a comparable agency.  
14 Such police shall preserve the peace on all property described under par. (a), enforce  
15 all rules promulgated under this chapter and all other laws, and for that purpose the  
16 chancellor or the chancellor's designee may call for aid from such other persons as  
17 is deemed necessary.

18 (3) ADMISSION OF APPLICANTS. (a) The board shall establish the policies for  
19 admission to the University and within these policies shall establish specific  
20 requirements for admission to its courses of instruction. No sectarian or partisan  
21 tests or any tests based upon (race, religion, national origin of U.S. citizens or sex) 2  
22 shall ever be allowed in the admission of students thereto. *Make consistent with 37.12(1) in terms of categories.*

23 (b) The board may establish policies for the appropriate transfer of credits with  
24 other educational institutions.

1           **(8) PARKING RULES.** (a) The board may make general policies and shall  
2 authorize the chancellor to promulgate rules regulating the parking of motor  
3 vehicles on property under its jurisdiction.

4           (b) The board shall establish fines for the violation of any rule promulgated  
5 under par. (a). The university may collect such fines together with moneys collected  
6 from the sale of parking permits and other fees established under par. (a), to be used  
7 only for the purpose of developing and operating parking or other transportation  
8 facilities at the university and for enforcing parking rules under par. (a).

9           **(8e) PARKING FEES.** The board shall charge a parking fee for the parking of  
10 motor vehicles by students, employees, and visitors at campus. The board ~~shall~~ <sup>may</sup>  
11 require the fee to be sufficient to recover the costs of the construction and  
12 maintenance necessary for the parking facilities. Nothing in this paragraph  
13 requires the recovery of the costs of land for parking facilities. Nothing in this  
14 paragraph requires that all users of the parking facilities be charged a parking fee.

15           **(8m) TRANSPORTATION PLANNING.** The board shall work with the regional  
16 planning commissions and the local authorities of the community in which the  
17 university is located to evaluate the transportation needs of the <sup>university</sup> ~~campus~~ population.  
18 The board shall develop a transportation plan for the university to effect energy  
19 resource conservation and efficient use of transportation resources. The plan shall  
20 include pedestrian walkways, bikeways, bike routes, bicycle storage racks, car and  
21 van pools and, to the extent feasible, improved mass transit services. The  
22 transportation plans shall detail parking management strategies which provide  
23 incentives for the use of mass transit and high occupancy vehicles.

24           **(9) CONDEMNATION.** The board may acquire by condemnation proceedings  
25 under ch. 32 such parcels of land as it deems necessary for the use of the university

1 materials in order to avoid unnecessary duplication and facilitating the loaning of  
2 library books and other library and research materials between participating  
3 institutions. The board shall possess all powers necessary or convenient to  
4 accomplish the foregoing, including the authority to designate representatives or  
5 members of such corporation in accordance with its articles and bylaws.

6 (b) The board may make use of and pay for the use of the facilities and services  
7 of such nonprofit-sharing corporation, but the board shall retain title to all books  
8 and materials deposited with such corporation for storage or loaned to other  
9 participating institutions. The appropriations to the board are to be available for the  
10 purposes of this subsection to the extent that such appropriations may be applicable.

11 (13) AUXILIARY RESERVES. Auxiliary enterprise reserve funds established prior  
12 to merger of this state's public institutions of higher education for the benefit or  
13 support of an institution or group of institutions shall not be utilized for any other  
14 purpose.

15 (15) TAX DEFERRED ANNUITIES. The board may continue all salary reduction  
16 agreements with its employees pursuant to section 403 (b) of the internal revenue  
17 code. The board may enter into new salary reduction agreements with its employees  
18 pursuant to section 403 (b) of the internal revenue code or other applicable federal  
19 law and may purchase annuities for its employees pursuant to these agreements  
20 from such annuity providers, both public and private, as the board deems  
21 appropriate.

22 (15m) FOOTBALL COACHES PENSION PLAN. The board may deduct contributions  
23 from the salaries of football coaches employed in the <sup>university</sup> ~~system~~ who are eligible and wish  
24 to participate in the qualified pension plan for football coaches established as the  
25 American football coaches retirement trust, and remit the deductions to the

1 (f) The faculty member taking a sabbatical leave shall agree to return to the  
2 university for at least one year after the termination of the sabbatical or return any  
3 compensation received from the university during the sabbatical.

4 (21) CONTROLLED SUBSTANCES AND CONTROLLED SUBSTANCE ANALOGS; DISCIPLINE.

5 Any student who engages in an activity, on <sup>university property</sup> campus or at an event sponsored by the  
6 university, that constitutes a violation of ch. 961 is subject to nonacademic  
7 misconduct disciplinary sanctions, as provided by the board by rule. In determining  
8 the appropriate sanction, the board or its designee shall consider those penalties,  
9 including suspension and expulsion, that will contribute most effectively to  
10 maintaining a <sup>university</sup> ~~system~~ environment that is free from controlled substances, as  
11 defined in s. 961.01 (4), and controlled substance analogs, as defined in s. 961.01  
12 (4m).

13 (22) ORIENTATION PROGRAM; INFORMATION ON SEXUAL ASSAULT AND SEXUAL  
14 HARASSMENT. (a) The board shall do all of the following:

15 1. Incorporate in the orientation program for newly entering students oral and  
16 written or electronic information on sexual assault and sexual harassment, as  
17 defined in s. 111.32 (13), including information on sexual assault by acquaintances  
18 of the victims and on all of the following:

19 a. The legal definitions of, and penalties for, sexual assault under ss. 940.225,  
20 948.02 and 948.025, sexual exploitation by a therapist under s. 940.22 and  
21 harassment under s. 947.013.

22 b. Generally available national and state statistics, and <sup>university</sup> ~~campus~~ statistics as  
23 compiled under par. (c) and as reported under par. (d), on sexual assaults and on  
24 sexual assaults by acquaintances of the victims.

1 c. The rights of victims under ch. 950 and the services available at the  
2 university and in the community to assist a student who is the victim of sexual  
3 assault or sexual harassment.

4 d. Protective behaviors, including methods of recognizing and avoiding sexual  
5 assault and sexual harassment and locations in the community where courses on  
6 protective behaviors are provided.

7 2. Annually supply to all students enrolled in the university printed or  
8 electronic material that includes all of the information under par. (a).

9 (b) Annually, the board shall submit a report to the chief clerk of each house  
10 of the legislature for distribution to the appropriate standing committees under s.  
11 13.172 (3). The report shall indicate the methods the university has used to comply  
12 with par. (a).

13 (c) Any person employed at the university who witnesses a sexual assault on  
14 <sup>university property</sup> ~~campus~~ or receives a report from a student enrolled in the university that the student  
15 has been sexually assaulted shall report to the dean of students. The dean of  
16 students shall compile reports for the purpose of disseminating statistical  
17 information under par. (a) 1. b.

18 (d) Annually, the university shall report to the office of justice assistance in the  
19 department of administration statistics on sexual assaults and on sexual assaults by  
20 acquaintances of the victims that occurred on <sup>university property</sup> ~~campus~~ in the previous year. The office  
21 of justice assistance shall include the statistics in appropriate crime reports  
22 published by the office.

23 (26) BUILDING PROGRAM PLANNING AND APPROVAL. The board shall establish a  
24 process for submission of building projects to the building commission for approval.  
25 No building project for the university may be submitted by the board to the building

1       **(39)** GAYLORD NELSON CHAIR OF INTEGRATED ENVIRONMENTAL STUDIES. The board  
2 shall establish the Gaylord Nelson chair of integrated environmental studies ~~and~~  
3 ~~seek private funding for this chair.~~

4       **(40)** CENTER FOR COOPERATIVES. The board shall maintain a center for  
5 cooperatives at the University of Wisconsin. The center shall comply with the  
6 requirements specified in s. 125.545 (5) (a).

7       **(47)** ARMED FORCES. If a student who is a member of a national guard or a  
8 member of a reserve unit of the U.S. armed forces withdraws from school after  
9 September 11, 2001, because he or she is called into state active duty or into active  
10 service with the U.S. armed forces for at least 30 days, the board shall reenroll the  
11 student beginning in the semester in which he or she is discharged, demobilized, or  
12 deactivated from active duty or the next succeeding semester, whichever the student  
13 prefers, shall give the student the same priority in registering for courses that the  
14 student would have had if he or she had registered for courses at the beginning of the  
15 registration period, and, at the student's request, do one of the following for all  
16 courses from which the student had to withdraw:

17       (a) Reimburse the student all tuition and fees paid for all the courses and a  
18 prorated portion of room and board payments.

19       (b) Grant the student an incomplete in all the courses and permit the student  
20 to complete the courses, within 6 months after leaving state service or active service,  
21 without paying additional tuition or fees.

22       **(48)** REPORT ON UTILITY CHARGES; ASSESSMENT OF CERTAIN UTILITY CHARGES. The  
23 board shall report annually to the department of administration on utility charges  
24 in the following fiscal year to fund principal and interest costs incurred in purchasing  
25 the Walnut Street steam and chilled-water plant enumerated under 2003 Wisconsin





1 and related rules on the effective date of this paragraph .... [LRB inserts date], shall  
2 continue to hold tenure under that subsection and related rules.

3 ~~(b) Any person who holds the equivalent of a probationary appointment under~~  
4 ~~ch. 36, 1971 stats., and ch. 37, 1971 stats., and related rules on July 9, 1974 shall~~  
5 ~~continue to enjoy the contractual rights and guarantees as defined under those~~  
6 ~~chapters and related rules, and may elect to be considered for tenure according to the~~  
7 ~~procedures existing under that appointment or under sub. (2). Any person who holds~~  
8 ~~the equivalent of a probationary appointment under sub. (2) (d) and related rules~~  
9 ~~shall continue to enjoy the contractual rights and guarantees as defined under that~~  
10 ~~paragraph and related rules, and may elect to be considered for tenure according to~~  
11 ~~the procedures existing under that appointment.~~

on the  
effective  
date of  
this  
paragraph  
[LRB inserts  
date]

12 ~~(c) Any person who is not a ranked faculty member on August 15, 1991, and who~~  
13 ~~is also described under subd. 1. or 2. shall be treated as a faculty member with the~~  
14 ~~rank of associate professor for all purposes:~~

15 ~~1. Any person who hold an unranked faculty tenure appointment or unranked~~  
16 ~~faculty concurrent tenure appointment under ch. 37, 1971 stats., prior to July 10,~~  
17 ~~1974.~~

18 ~~2. Any person who held an unranked probationary appointment under ch. 37,~~  
19 ~~1971 stats., prior to July 10, 1974, and who subsequently received an unranked~~  
20 ~~faculty tenure appointment or unranked faculty concurrent tenure appointment.~~

21 (5) PROCEDURAL GUARANTEES. Any person having tenure may be dismissed only  
22 for just cause and only after due notice and hearing. Any person having a  
23 probationary appointment may be dismissed prior to the end of the person's contract  
24 term only for just cause and only after due notice and hearing. The action and  
25 decision of the board in such matters shall be final. The board and its several

1 faculties shall develop procedures for the notice and hearing which shall be  
2 promulgated by rule.

3 **37.14 Wisconsin distinguished professorships.** (1) The board may  
4 establish distinguished professorships under this section.

5 (2) The board may pay under this section the salary and fringe benefit costs  
6 of the professor holding the distinguished professorship and of any graduate  
7 assistant assigned to the professor, and the equipment, supplies and travel costs of  
8 the professor and the graduate assistants assigned to the professor.

9 **37.21 Lapse of appointments.** Notwithstanding ss. 37.13 (4) and 37.15 (2)  
10 and (3), the board may, with appropriate notice, terminate any appointment when  
11 a financial emergency exists. No person may be employed at the university within  
12 2 years to perform reasonably comparable duties to those of the person whose  
13 appointment was terminated without first offering such person a reappointment.  
14 The board, after consultation with the faculty and chancellor, shall adopt procedures  
15 to be followed in the event of termination under this section.

16 **37.23 Conflict of interest.** No member of the board of trustees, or other  
17 person appointed or employed in any position in the university, may at any time act  
18 as an agent for any person or organization if the act would create a conflict of interest  
19 with the terms of the person's service in the university. The board shall define  
20 conflicts of interest and adopt policies related thereto.

21 **37.25 Special programs.** (2) WISCONSIN RESIDENTS PREFERENCE IN HOUSING.  
22 Preference as to rooming, boarding and apartment facilities in the use of living units  
23 operated by <sup>the</sup> ~~any~~ university shall, for the following school year, be given to students  
24 who are residents of this state and who apply before March 15, unless a later date  
25 is set by the board. Such preference shall be granted in accordance with categories

37.15 see attached

37.19 see attached.

1 (5) STATE EDUCATIONAL RADIO AND TELEVISION NETWORKS. (a) Except as provided  
✓ 2 in par. (b), the board ~~shall~~<sup>may</sup> grant the educational communications board the  
3 part-time use of equipment and space necessary for the operations of the state  
4 educational radio and television networks pursuant to the affiliation agreement  
5 between the educational communications board and the board of regents required  
6 under s. 36.25 (5).

✓ > add 36.25 (5)(b) here as 37.25(5)(b) - already done - see p 76

\*\*\*\*NOTE: As requested, we transferred the 2nd sentence of s. 36.25 (5) (a) to s. 37.25  
(5) (a). However, we think it is necessary to refer to the affiliation agreement between  
the ECB and Board of Regents. Let us know whether the above is okay.

PN's  
RM

7 (9) CLEARING CUTOVER LANDS. The board through the College of Agricultural  
8 and Life Sciences may cause an investigation to be made of methods of clearing  
9 cutover lands, perform experiments and demonstrations in conjunction therewith  
10 and provide related services to individual citizens at cost.

11 (14m) MINORITY AND DISADVANTAGED PROGRAMS. (a) The board shall allocate  
12 funds under s. 20.280 (4) (a) to fund programs for recruiting minority and  
13 disadvantaged students and to fund programs for minority and disadvantaged  
✓ 14 students enrolled in the ~~system~~<sup>university</sup>.

15 (b) Annually by April 15, the board shall adopt a precollege, recruitment and  
✓ 16 retention plan for minority and disadvantaged students enrolled in the ~~system~~<sup>university</sup>.

17 (c) Annually by April 15, the board shall submit a report to the governor and  
18 to the chief clerk of each house of the legislature for distribution to the appropriate  
19 standing committees under s. 13.172 (3). The report shall include all of the following:

20 1. The plan adopted under par. (b).

21 2. All financial aid distributed to students, categorized by ethnic group, class  
22 level and dependency status. The report shall include information on financial need,